

REMARKS

Applicants have considered the outstanding official action. It is respectfully submitted that the claims are in condition for allowance as set forth below. The matters raised in the outstanding office action will be addressed herein in the order of their occurrence in the action.

The Abstract has been amended to conform to U.S. patent practice. The form of the Abstract is proper.

Claims 7-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite based on (1) "fluid" at column 7, line 5, lacking positive antecedent basis, (2) at column 7, line 6, the clarity of "a path of another fluid"; and (3) the format of the method claim. Claim 7 has been amended to clarify these matters. It is submitted that claim 7 is definite within the meaning of 35 U.S.C. §112, second paragraph. Withdrawal of the §112 rejection is requested.

Claim 7 is rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,249,597 (Engstrom).

Claim 8 is objected to as being dependent upon a rejected base claim, but is stated to be allowable if

rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants have amended claim 7 to incorporate the limitations of claim 8. Accordingly, applicants submit that the rejection under §102 is moot and that since claim 8 is considered allowable, that claim 7 as amended is now in condition for allowance. Formal allowance of claim 7 and rejoinder of dependent claims 9-11 are requested.

The Examiner requires the provision, in either the remarks herein or in the claims, of reference numbers in relation to claim limitations. Set forth below in table format are various elements disclosed and claimed in the captioned application together with corresponding reference and/or figure numbers as present in the specification.

<u>Element</u>	<u>Reference/Figure Number(s)</u>
Plate heat exchanger	Figures 1 and 2
Plurality of stacked plates	3-8
Double wall configuration	5a, 5b
Border of port holes	13
Brazing material	E.g. Figures 4-8 – thick lines (see specification, page 5, last paragraph)

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Areas of mutually contacting wall surfaces of two plates forming double wall plate around borders of a port hole configured to only partly cover each other

13 - Figures 3 and 8;
18, 19 - Figure 14;
20, 21 - Figure 16

Indentations 14, 15

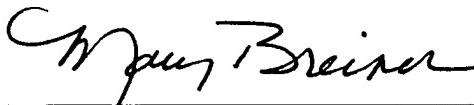
In relation to applicants' duty of disclosure, applicants are herewith advising the Patent Office of the four patent documents as listed together with the patentee/applicant and publication date thereof in the attached information disclosure form PTO/SB/08a. This submission is being made under 37 CFR 1.97(c)(1) and (e)(1) in that each item of information contained in the attached information disclosure form was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing herein, i.e., such were cited in corresponding Japanese Application No. 2006-521036 in an office action mailed June 15, 2010. Consideration, and acknowledgment of such consideration, of the documents listed in form PTO/SB/08a are requested.

Reconsideration and allowance of the claims are respectfully urged.

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Respectfully submitted,

PER RISSLER ET AL

By 
Mary J. Breiner, Attorney
Registration No. 33,161
BREINER & BREINER, L.L.C.
P.O. Box 320160
Alexandria, Virginia 22320-0160

Telephone: (703) 684-6885

Attachment - Form PTO/SB/08a With 3 Documents With Translations